



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,663	07/14/2000	Rohit Khare	004962.P001	6238

7590

10/09/2003

Jan Carol Little  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
7th Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025

EXAMINER

HU, JINSONG

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



## Office Action Summary

Application No.

09/615,663

Applicant(s)

KHARE ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 & 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



### **DETAILED ACTION**

1. Claims 1-26 are presented for examination.
2. Claim 11 is objected to because there is two claim 11 [i.e., the second claim 11 should be claim 15]. Correction is required.
3. Claim 20 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 19. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



Art Unit: 2154

5. Claims 1-5, 14 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Okumura et al. (US 6,178,424 B1).

6. As per claims 1, 14 and 24, Okumura teaches the invention substantially as claimed including a method comprising monitoring and detecting publication of information, organizing the detected information into a set of topics [col. 5, lines 38-45; col. 8, lines 9-20]; facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 50-52]; routing information to the user based on the organization and subscription [col. 6, lines 25-49]; and pseudo-synchronously delivering the information to the user on a client system [col. 7, lines 13-18].

7. As per claims 2-5, Okumura teaches the step of organizing information into a set of topics including who [i.e., provider], what [i.e., text], when [i.e., providing time], or where [i.e., providing location; col. 6, lines 11-17].

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



Art Unit: 2154

9. Claims 6-13, 15-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okumura et al. (US 6,178,424 B1) as applied to claims 1-5, 14 and 24 above.

10. As per claim 6-9, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the step of organizing information into a set of topics including different information types in different languages. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to organize information into different information types in different languages because doing so would enable user retrieving information from resource less complicated and time consuming by providing selections for the detailed topics in the language which the users familiar with. One of ordinary skill in the art would have been motivated to modify Okumura's system with detailed topics in different languages to attract more global users.

11. As per claims 10-13 and 15-23, Okumura teaches the invention substantially as claimed in claim 1. Additionally, Okumura teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 6, lines 25-49].

12. Okumura does not specifically teach the user's device including a pager, cellular telephone etc. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a pager or a cellular telephone as a



Art Unit: 2154

user's device in Okumura's system because doing so would bring the convenience to the user by allowing user receive required information even when the user could not reach his/her regular workstation. One of ordinary skill in the art would have been motivated to modify Okumura's system with different user's device to improve the capability of the system.

13. Okumura does not specifically teach a changeable threshold level for specifying the level of interest for the information from the user. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to utilize a changeable threshold level for specifying the level of interest for the information from user because doing so would make the system more dynamic by allowing user select different topics when his/her preference changed by the time. One of ordinary skill in the art would have been motivated to modify Okumura's system with a changeable threshold level to provide better service to user.

14. As per claims 25 and 26, Okumura teaches the invention substantially as claimed in claim 1. Okumura does not specifically teach the client system having an embedded micro-server. However, It would have been obvious to a person of ordinary skill in the art at the time the invention was made to added an embedded micro-server in client system in Okumura's system because doing so would make the information transmission between resource and user more accurate and reliable. One of ordinary



skill in the art would have been motivated to modify Okumura's system with an embedded micro-server to improve the performance of the entire system.

**Conclusion**

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Kikinis (US 6,163,795) discloses an information deliver system;

Marques (US 6,182,066) discloses a query processing system;

Garrity et al. (US 6,230,205) discloses a content deliver system;

Chen (US 6,349,307) discloses a pre-filtering and routing system; and

Pollack et al. (US 6,578,025) discloses a distributing system.


16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for Group 2100 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

October 7, 2003

  
ZARNI MAUNG  
PRIMARY EXAMINER